

Remarks

The final Office Action mailed October 17, 2005 allowed claims 1-5 and 7, rejected claims 21-23, 25 and 29, and objected to claims 24, 26-28 and 30. The Applicant respectfully requests reconsideration of this final rejection of the claims.

In a previous after-final response filed December 16, 2005, the Applicant amended claims 21 and 25, cancelled claim 24 without prejudice, and added for consideration new claims 31-34.

An Advisory Action mailed January 10, 2006 indicated that the newly added claims 31-34 raised new issues and would not be entered. While the Applicant respectfully traverses this finding, the Applicant has elected to resubmit the amendments to claims 21 and 25, to cancel claim 24 without prejudice, and to cancel previously presented claims 31-34 in order to place the present case in immediate condition for allowance. The Applicant reserves the right to bring claims directed to the subject matter of claims 31-34 in a continuing application.

Independent claim 21 now generally features a piezoelectric transducer, as previously set forth in cancelled claim 24. Claim 25 has been amended to better conform to amended claim 21.

These amendments are proper, do not introduce new matter or raise new issues that require additional consideration and/or searching, and serve to place the application in proper condition for allowance. Entry of these amendments is accordingly solicited.

Rejection of Claims Under 35 U.S.C. §102(a)

Claims 21-23, 25 and 29 were finally rejected as being anticipated by U.S.

Published Patent Application No. 2003/017838 published September 18, 2003 to Koh ("Koh '838"). This rejection is respectfully traversed.

The Applicant agrees with the Examiner that Koh '838 at least fails to disclose "a piezoelectric transducer which produces an analog signal in response to mechanical vibration of said transducer induced by a member rotated at an instantaneous speed less than an operational speed of said member," as featured by amended independent claim 21.

Claim 21 is therefore believed to define subject matter that is patentable over Koh '838, as well as the remaining art of record. Reconsideration and withdrawal of the rejection of claims 21-23, 25 and 29 are accordingly solicited on this basis.

Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 1-5, 7 and the indication of allowability of claims 24, 26-28 and 30. The Applicant appreciates the detailed statement of reasons for allowance/allowability for these claims, but respectfully traverses the same on the basis that it is the Applicant's position that each of the claims, in their entirety, define patentable subject matter without regard to emphasis upon any particular feature or point of novelty therein. Thus, these statements by the Examiner should have no prejudicial or otherwise limiting effect upon the scope of the claims in any subsequent proceedings.

Conclusion

The Applicant respectfully requests reconsideration and allowance of all of the claims pending in the application. This Response is intended to be a complete response to the final Office Action mailed October 17, 2005.

Should any questions arise concerning this response, the Examiner is invited to contact the below signed Attorney.

Respectfully submitted,

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